

**CHARTER TOWNSHIP OF ELMWOOD
ZONING BOARD OF APPEALS
REGULAR MEETING**

Wednesday September 6, 2023 at 7:00 PM

Location: Township Hall (10090 E. Lincoln Rd., Traverse City, MI)

ZBA Members:

Gary Bergstrom, Chair

Jeff April, Vice-Chair

Jason Razavi, Secretary

Ray Haring

Jim O'Rourke

Randy Baidas-Alternate

- A. Call to order - 7:00 pm
- B. Roll Call
- C. Public Comment (Speakers to identify themselves by name and address, limited to 3 minutes each)
- D. Agenda Modifications/Approval
- E. Declaration of Conflict of Interest: *(Items on the Agenda)*
- F. Approval of Minutes: May 3, 2023
- G. New Business:
 - 1. Case #2023-05 Request by Stephen Earl regarding property at 10945 S West-Bay Shore Dr, Parcel #45-004-016-039-00 for a 10' foot front water's edge setback variance to remove and replace rear deck is same location.
 - 2. Discussion on next meeting date
- H. Old Business:
- I. Comments from the Chair
- J. Comments from ZBA Members
- K. Announcements
- L. Public Comment (Speakers to identify themselves by name and address, limited to 2 minutes each)
- M. Adjourn - 9:00 pm or majority vote to extend meeting

**Charter Township of Elmwood
Zoning Board of Appeals
Regular Meeting
May 3, 2023
7:00 PM**

A. CALL TO ORDER: Gary Bergstrom called the meeting to order at 7:00 p.m.

B. ROLL CALL: Ray Haring, Jim O'Rourke, Gary Bergstrom, Jeff Aprill
Excused: Jason Razavi

C. PUBLIC COMMENT: None

D. AGENDA MODIFICATIONS: MOTION BY JIM O'ROURKE, SECONDED BY JEFF APRILL TO APPROVE THE AGENDA AS SUBMITTED. MOTION APPROVED 4-0.

E. DECLARATION OF CONFLICT OF INTEREST: None

F. APPROVAL OF MINUTES: APRIL 5, 2023: MOTION BY JIM O'ROURKE, SECONDED BY RAY HARING TO APPROVE MINUTES OF APRIL 5, 2023 AS PRESENTED. MOTION PASSED UNANIMOUSLY.

G. NEW BUSINESS:

1. Extension Request- Case #2022-02-Erik Gruber and Chris Millward for a front yard variance request regarding property at 10238 and 10240 E Cherry Bend Rd., parcel #45-004-320-001-00. The applicants received a 30' front yard setback variance to allow parking within the 30' front yard setback.

MOTION BY JIM O'ROURKE, SECONDED BY RAY HARING TO APPROVE A 1 YEAR EXTENSION REQUEST FOR CASE #2022-02.

Discussion

ROLL CALL VOTE: RAY HARING-YES, JIM O'ROURKE-YES, JEFF APRILL-YES, GARY BERGSTROM-YES. MOTION APPROVED UNANIMOUSLY.

2. Extension Request-Case #2022-03-Erik Gruber and Chris Millward for a variance to reduce the required parking ratio, which is based on floor area, regarding property at 10238 and 10240 E Cherry Bend Rd., parcel #45-004-320-001-00. The applicants received a variance to reduce the parking ratio for business and professional offices within the NC zoning district from 1 space per 200 sf to 1 space per 270 sf.

MOTION BY JEFF APRILL, SECONDED BY JIM O'ROURKE TO APPROVE A 1 YEAR EXTENSION FOR CASE #2022-03. ROLL CALL VOTE: RAY HARING-YES, JIM

O'ROURKE-YES, JEFF APRILL-YES, GARY BERGSTROM-YES. MOTION PASSED UNANIMOUSLY.

H. OLD BUSINESS: None

I. COMMENTS FROM THE CHAIR: Gary thanked Jeff Aprill for chairing the April 5th meeting.

J. COMMENTS FROM ZBA MEMBERS: Jim O'Rourke thanked Sarah and Carrie saying, we do a good job, we're a team.

K. ANNOUNCEMENTS: Sarah announced, we're not going to have a meeting in June. Also, I gave you handouts for upcoming trainings.

L. PUBLIC COMMENT: None

M. ADJOURN: MOTION BY RAY HARING, SECONDED BY GARY BERGSTROM TO ADJOURN MEETING AT 7:10 PM. MOTION PASSED.

DRAFT

July 31, 2023

Dear Zoning Board of Appeals,

We are requesting to replace the existing deck within the same location. The deck will be safer as it will be up to current code. We are seeking a variance as we are unable to determine when the deck was constructed. We have evidence showing that the deck was constructed in 1982 (see attached letter found from previous owner which was found behind a mirror during an interior remodel), but the 30' water's edge setback was adopted in 1980. The house was constructed in 1955. We do not have a survey that shows the house and deck, but we are seeking a variance to keep the deck in the same location and size as it currently exists. The deck is approximately 352sq ft. The deck has not created any issues since we purchased the property in 2005. We understand and respect the definition of Water's Edge. We have included pictures showing that the water has been much further back than what is currently onsite.

Included in the application are pictures of the existing deck. They just do not show when the deck was constructed.

We are happy to answer any questions,

Stephen Earl



CHARTER TOWNSHIP OF ELMWOOD

Planning and Zoning

10090 E. Lincoln Rd, Traverse City, MI 49684

(231) 946-0921 Fax (231) 946-9320

Email: planner@elmwoodtownship.net

Zoning Board of Appeals

Application

Applications will not be accepted unless containing all the following information:

- 1) Completed application form with owner's signature
- 2) A scaled drawing, if applicable, with sufficient detail to indicate the nature and necessity of the request.
- 3) Cover Letter describing the request
- 4) Payment of an application fee (\$650)
- 5) Signed Escrow Policy with \$500 escrow (if found necessary by Planner or ZBA; any and all unused escrow funds will be returned per the escrow agreement)

Applications are to be submitted 45 days prior to the Zoning Board of Appeals meeting. Regular meetings are the 1st Wednesday of the Month.

Please note that no application shall be accepted for a use variance, or any other request that would effectively grant a use variance, as consideration of such a variance is not permitted under the Elmwood Township Zoning Ordinance.

Charter Township of Elmwood
Zoning Board of Appeals Application

Property Information (if applicable):

Property Address: 10945 S West-Bay Shore Drive
Parcel Number: 45-004-016 - 039 - 00 Zoning District: R-1
Project Name or Title: Existing Deck remove and replace

Applicant

Stephen Earl
Name
6008 Allan Drive
Street Address
Brighton MI 48116
City State Zip
248-804-5126
Phone Number
searl@peoplepc.com
Email Address

Owner (if different)

SAME
Name

Street Address

City State Zip

Phone Number

Email Address

Contact Person (All communications from the Township will be sent to this individual regarding the submitted application) Applicant Owner

Type of Request: Variance Interpretation Appeal (attach decision) Other

Section(s) of Ordinance seeking Variance from or Interpretation on: _____

Required Dimension in Ordinance 30

Amount of Variance Requested from Required Dimension: 10

Previous Appeal Requests (Date, Request, Decision): 04/18/1984; enlarge garage 10 x 10
(approved for 5' x 5' expansion)

Other Information to explain request: _____

Dimensional Variance Approval Criteria. If you are applying for a dimensional variance, please answer, in detail, how your project meets the following standards of approval from the Zoning Ordinance:

- a. Will this request be contrary to the intent and purpose of the Zoning Ordinance?

Decks are currently allowed; would like to remove replace in existing location.

- b. Will this request establish a use not permitted in the zoning district the property is located in?

No; decks are currently allowed.

- c. Will this request cause a substantial adverse effect upon property, which includes, but is not limited to property values, in the immediate vicinity or in the district in which the property of the applicant is located?

It will increase property value; deck is in disrepair.

- d. Will this request be specific to the property and not be so general or recurrent in nature as to make the formulation of a general regulation for such conditions reasonably practical?

Yes

- e. Will this request relate only to property that is owned or occupied, or where the applicant has equitable interest?

Yes

-
-
- f. Will this request be the result of a condition created by the applicant?

No; when we purchased the property the deck was already there.

- g. Will this request create possible precedents or affects, which might result from the approval or denial of the appeal and which would be contrary to the intent and purpose of this Ordinance?

No; the case is specific to this site due to the shape of the lot.

In addition to the above questions, the variance request must also meet one of three special conditions. Please answer a minimum of one of the following questions:

- a. Are there practical difficulties, which prevent carrying out the strict letter of this Ordinance? These difficulties shall not only be deemed economic, but shall be evaluated in terms of the use of a particular parcel of land.

-
-
- b. Are there exceptional or extraordinary circumstances or physical conditions such as narrowness, shallowness, shape, or topography of the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the same zoning district? Such circumstances or conditions shall have not resulted from any act of the appellant subsequent to the adoption of this Ordinance.

The shape of the lot and location of water's edge are unique.

- c. Will this request result in a variation necessary for the preservation of a substantial property right possessed by other properties in the same zoning district?

Zoning Ordinance Interpretations. If you are applying for an interpretation or a similar use interpretation, please note the following:

Since every type of potential use cannot be anticipated in this Ordinance, the Zoning Administrator shall determine if the use is similar to a use listed in this Ordinance. The Zoning Administrator may refer matters wherein a use not specifically listed in this Ordinance or may be substantially similar to a permitted use or permitted special land use to the Zoning Board of Appeals for its interpretation and decision.

Text interpretations shall be narrow and address only the situation being interpreted, be based on a thorough reading of this Ordinance for the purpose of implementing the intent of this Ordinance, and not have the effect of amending this Ordinance.

Interpretations shall give weight to practical interpretations by the Zoning Administrator and other administrative officials if applied consistently over a long period of time.

Interpretation of the zoning map shall be subject to the provisions of Article 4 of this Ordinance

Administrative Appeal. If you are appealing a decision to the ZBA, please note the following:

An appeal may be taken from any aggrieved person or by an officer, department, board, or bureau of this state or the local unit of government regarding any order, requirement, decision, or determination where it is alleged by the appellant that there is error or misinterpretation in any order, requirement, decision, grant, or refusal made by the Zoning Administrator or other administrative official or body charged with the enforcement of the Ordinance.

An appeal shall be filed with the ZBA and the Zoning Administrator or the body from whom the appeal is taken within sixty (60) days of the final decision being appealed. The filing shall specify the grounds of the appeal. The appeal shall be transmitted to the ZBA together with all the papers constituting the record upon which the action being appealed is taken.

In deciding the appeal, the ZBA shall be limited to determining whether or not the decision that was made was done so using the proper requirements and standards in the Ordinance. The decision of the ZBA is limited to the information that was available to the administrative official or body who made the decision initially. Additional testimony is not appropriate. Regardless of the wording contained in the grounds for the appeal, if the substance of the basis for the

appeal is that the decision incorrectly evaluated the facts related to the land use application under the standards or requirements of this Ordinance, then the ZBA shall determine whether the decision was supported by competent, material and substantial evidence based on the evidence presented to or known by the decision maker. The ZBA shall not consider evidence which was not presented to or known by the decision maker.

No decision regarding a planned development may be appealed to the ZBA.

Escrow may be required.

An appeal shall stay all proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the ZBA, after notice of appeal has been filed, that by reason of the facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, the proceedings shall not be stayed other than by a restraining order, which may be granted by a court of record.

Affidavit:

The undersigned affirms that he/she or they is (are) the owner, or authorized agent of the owner, and that the answers and statements herein contained ad the information submitted are in all respects true and correct. In addition, the undersigned represents that he/she or they is authorized and does hereby grant a right if entry to Township officials for the purpose of inspecting the premises and uses thereon for the sole purpose of gathering information regarding this request.

Stephen Earl 7/31/23
Owner Signature Date

Applicant Signature Date

OFFICE USE ONLY:

Case Number: 2023-05 Fee: \$650 Paid: \$650
Board Decision: _____ Date: _____
Date Permit Issued: _____ Issued By: _____

Charter Township of Elmwood Escrow Policy

Accordingly, the procedure for the handling and processing of escrow deposits henceforth shall be as follows:

- A. In connection with any application for a special land use, site plan approval, zoning amendment, cluster residential development review, site condominium review, planned unit development review, appeal, interpretation, variance, or other application as required by this Ordinance, the Township may require the applicant to pay in advance into an escrow fund established to cover the reasonable costs of reviewing the application. These costs may include staff costs or consultant fees covering planning, engineering, environmental analysis, wetland delineation, legal review, and other professional and technical services required for a proper and thorough review of the application. No application shall be reviewed further or considered complete, and no permit shall be issued, until all costs have been paid and/or the escrow fund has been replenished as outlined below. The Township shall account for the expenditure of all escrow funds, and the Township Clerk shall refund any unexpended funds within sixty (60) days of final action.

- B. Should the escrow fund ever dip below fifty (50%) of the original fund amount, the applicant shall be advised and required to replenish said escrow fund to the full original amount within five (5) business days of having been so notified by the Township Clerk.

- C. The applicant may seek an accounting from the Township Clerk of expenditures from the escrow fund when a request is made by the Township to replenish the fund and/or after a final decision on the application has been made. However, the applicant has no authority to approve or deny expenditures.

Amount of Escrow Deposit Required: _____

Amount of Escrow Deposit Received: _____

Date: _____

Signature: _____

Name: _____ Phone Number: _____

Address: _____



AA

bsaonline.com



traverse



1960 bluep...



How to Find...



1980 wetla...

Save with X...



PNC Bank O...

Leelanau C...



Pa

Enter an address or address range such as 100-200 Main St

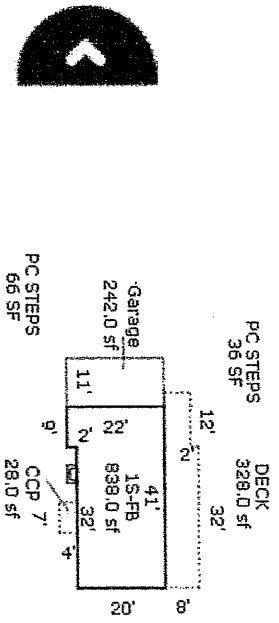
Use Advanced Address Search

Home > Online Payment > Record Details

10945 S WEST-BAY SHORE DR TRAVERSE CITY, MI 49684 (Property Address)

Parcel Number: 004-016-039-00

004-016-039-00



Sketch by Apex Madman

Item 1 of 1

0 Images / 1 Sketch

Property Owner: EARL STEPHEN

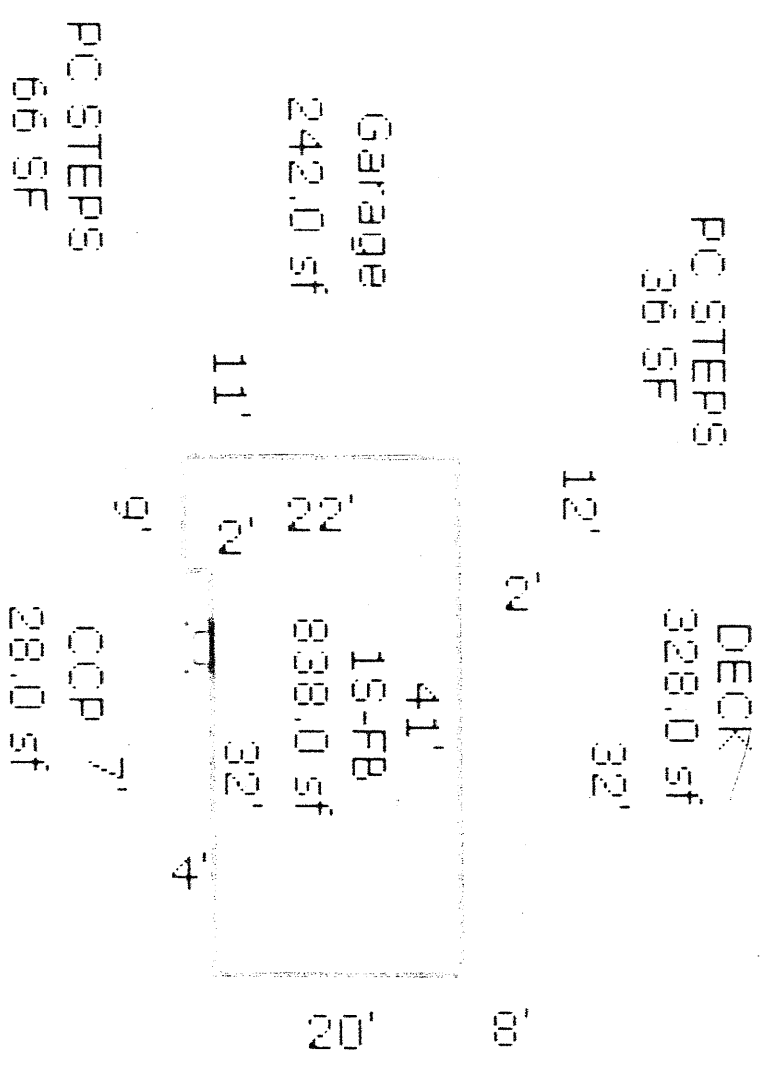
Summary Information

> Residential Building Summary

- Year Built: 1955
- Full Baths: 1
- Sq. Feet: 838
- Bedrooms: 2
- Half Baths: 0
- Acres: 0.141

Property Information

Tax Information



Sketch by Ape Medina

Parcel Number: 004-016-039-00

Property Owner: EARL STEPHEN A LIVING TRUST



> Residential Building Summary

> Assessed Value: \$230,900 | Taxable Value: \$174,748
> Property Tax information found

Owner EARL STEPHEN A LIVING TRUST
736 OLD MILFORD FARMS
MILFORD, MI 48381
Taxpayer SEE OWNER INFORMATION

Property Class 408 RESIDENTIAL-IMPROVED Unit 004 ELMWOOD TOWNSHIP
School District TRAVERSE CITY SCHOOL DIST. **Assessed Value** \$230,900
MAP # 25 **Taxable Value** \$174,748
USER NUMBER IDX 0 **State Equalized Value** \$230,900
USER ALPHA 1 **Date of Last Name Change** 09/10/2012
USER ALPHA 3 **Notes**
Historical District **Census Block Group**
USER ALPHA 2 **Exemption**

Homestead Date 05/27/1994

Principal Residence Exemption **June 1st** **Exemption**
2021 0.0000 % 0.0000 %

| Year | MBOR Assessed | Final SEV | Final Taxable |
|------|---------------|-----------|---------------|
| 2021 | \$221,000 | \$221,000 | \$169,166 |
| 2020 | \$218,300 | \$218,300 | \$166,831 |
| 2019 | \$215,700 | \$215,700 | \$163,721 |

Zoning Code R-1 **Total Acres** 0.141
Land Value \$350,000 **Land Improvements** \$3,142
Renaissance Zone No **Renaissance Zone Expiration Date**
ECF Neighborhood R-H20-M22 **Mortgage Code**
Lot Dimensions/Comments **Neighborhood Enterprise Zone** No

Lot(s) **Frontage** **Depth**
Lot 1 75.00 ft 82.00 ft
Total Frontage: 75.00 ft **Average Depth: 82.00 ft**

LOT 4 TR NWLY ON R/W 10 FT 280 FT S OF N LN S 1/2 GOVT LOT 4 TH E TO SHR GRAND TRAVERSE BAY TR SELY ALG SHR TO P E E OF POB TH W
 10' POB SEC. 16 T28N R17W 141 A

10/15/2005 11/17/2005

| | | | |
|-----------------------------------|------------|--------------------------------------|---|
| Date of Last Split/Combine | | Number of Splits Left | 0 |
| Date Form Filed | | Unallocated Div.s of Parent | 0 |
| Date Created | 01/01/0001 | Unallocated Div.s Transferred | 0 |
| Acreage of Parent | 0.00 | Rights Were Transferred | |
| Split Number | 0 | Courtesy Split | |
| Parent Parcel | | | |

10/15/2005

| Date Date | Sale Price | Instrument | Grantor | Grantee | Terms of Sale | Libel/Page |
|------------|--------------|------------|-----------------|--------------------------------|-------------------|------------|
| 05/19/2005 | \$0.00 | QC | EARL STEPHEN A | EARL STEPHEN A LIVING TRUST | 21-NOT USED/OTHER | 1133:177 |
| 03/15/2005 | \$339,000.00 | WD | MADDY BARBARA L | EARL STEPHEN | 03-ARM'S LENGTH | |

10/15/2005 11/17/2005

| | | | |
|----------------------------|---------------|--------------------------|---------------------|
| Floor Area | 838 sq ft | Estimated TCV | \$108,614 |
| Garage Area | 242 sq ft | Basement Area | 838 sq ft |
| Foundation Size | 838 sq ft | Year Remodeled | |
| Year Built | 1955 | Class | C |
| Occupancy | Single Family | Tri-Level | No |
| Effective Age | 42 yrs | Heat | Forced Air w/ Ducts |
| Percent Complete | 100% | Wood Stove Add-on | No |
| AC w/Separate Ducts | No | Water | |
| Basement Rooms | 3 | Sewer | |
| 1st Floor Rooms | 4 | Style | 1 STORY |
| 2nd Floor Rooms | 0 | | |
| Bedrooms | 2 | | |

| Height | Foundation | Exterior | Area heated |
|---------|------------|----------|-------------------|
| 1 Story | Basement | Siding | 838 sq ft 1 Story |

| | | | |
|-----------------------|-----------|-------------------------------|---------|
| Recreation | 0 sq ft | Recreation % Good | 0% |
| Living Area | 480 sq ft | Living Area % Good | 0% |
| Walk Out Doors | 0 | No Concrete Floor Area | 0 sq ft |

3 Fixture Bath 1

Exterior 1 Story 1

| | | | |
|-------------------|-----------|--------------------|--------|
| Area | 242 sq ft | Exterior | Siding |
| Foundation | 42 Inch | Common Wall | 1 Wall |
| Year Built | | Finished | No |
| Auto Doors | 0 | Mech Doors | 0 |

CCP (1 Story) 28 sq ft Foundation Standard

Treated Wood 328 sq ft

10/10/84
Barbara Maddy
10945 W. Bay Shore Dr.
Traverse City, Mich. 49684

Elmwood Township Board of Appeals
Elmwood Town Hall
Cherry Bend Road
Traverse City, Mich. 49684

Dear Sir:

I appreciate the variance the board has granted me to build a garage and thank you for it.

The builder I want to do the work is tied up until Christmas, so will be unable to start until spring. May I have an extension on the time to add onto my garage?

Please advise:

Thanking you in advance.

Barbara Maddy
Barbara Maddy

Elmwood Township Zoning Board of Appeals
April 18, 1984
Page 2

Barb Maddy asked for a variance to enlarge her existing garage by 10 feet on the front and 10 feet on the side. The reason for this is for safety and convenience so she can have an inside door going directly into her home as she returns from work at 11:30 p.m. and also this will give her room for two automobiles.

A motion was made by Stan Kouchnerkavich and seconded by Ruth Wilber for a denial of the application to grant Barb Maddy another 10 feet on the front and 10 feet on the side of her existing garage on the basis for concern of vehicles parking on the right of way.

All board members voted for the denial of her request.

John Gallagher made a proposal that she could enlarge the existing garage by 5 feet in the encroachment on the front and 5 feet on the side instead of the 10 feet for each as she had requested. This is the maximum the Appeals Board would allow. He stated that the rear of the garage comply with fire laws on this addition. This proposal was supported by Stan Kouchnerkavich.

All board members voted YES on this proposal.

The meeting was adjourned at 9:30 p.m. by John Gallagher.

Attached are the signatures of those present at the April 18, 1984, meeting.

Respectfully submitted

John M. Cullbeck

July 12 - 1984

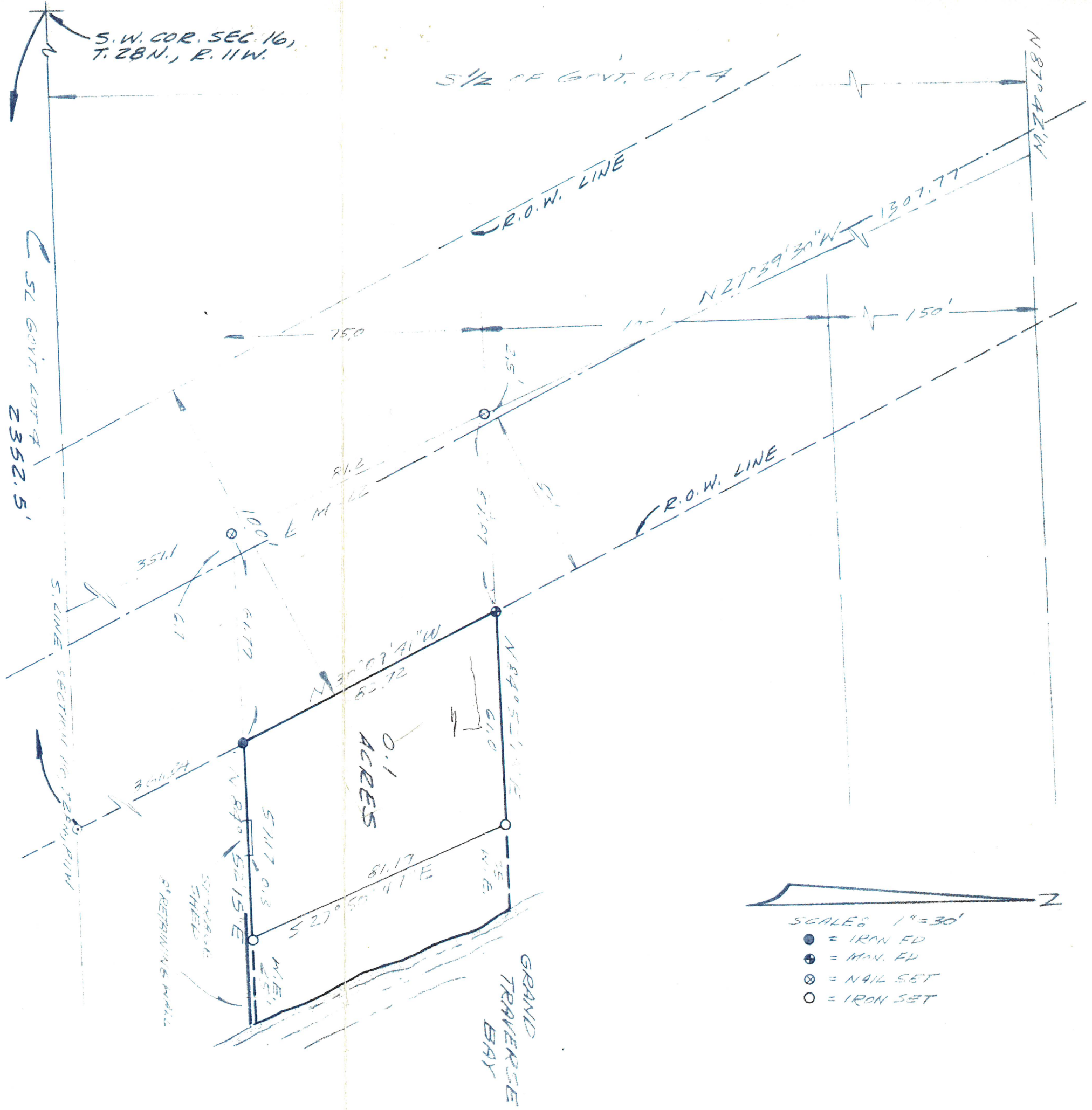
This house was built
by Harry Phelps (a
Kansas City policeman)
about 1960. Purchased
by me in 1973 for
\$32,500. new plumbing-
wiring - basement finished
in 1984 at a cost of
\$15,000. new roof 1983
(1000)
new deck 1982 (1500)

The water line is
high - 2 - 3 ft from
sew wall. Garage to
be built larger 1984.

Happy owner

Barbara L. Maddy R.W.

PLAT OF FOREST HILLS SUBDIVISION LOT #1



- SCALE: 1" = 30'
- = IRON PD
 - ⊕ = MAN. PD
 - ⊗ = NAIL SET
 - = IRON SET

DESCRIPTION AS FURNISHED BY CLIENT

The South 75 feet of the North 175 feet of following description: All that part of South 1/2 of Government Lot 4, Section 16, Town 28 North, Range 11 West, Elmmood Township, Leelanau County, Michigan, lying East of the Highway M-22, except the North 150 feet, and also excepting a parcel described as follows: Commencing at the intersection of the South line of Government Lot 4 with the Easterly line of Highway M-22, said point being East 2352.5 feet from the Southwest corner of Section 16; thence (accepting the South line of Section 16 as due East and West) North 24°-19' West, 246.23 feet, along the Easterly line of Highway M-22; thence East, 84.6 feet to a point near the shore of Grand Traverse Bay; thence South 9°-14' East, 85.1 feet; thence South 2°-40' East, 140.46 feet, along the shore of Grand Traverse Bay to the concrete and iron meander post between Section 16 and 21; thence West 3.5 feet to the point of beginning. Including riparian rights to waters of Grand Traverse Bay along parcel hereby conveyed, subject to easements of record.

SURVEY FOR
ROLAND HABRECHT

BARBARA MARY
10945 W. Bay Shore
TRAVERSE CITY Mich 4968
4468855-

0.1
ACRES

GRAND
TRAVERSE
BAY

RETRINING WALL
STORAGE SHED









Mailing Label Creator

Select or search for a feature in the map

10945 S West-Bay Shore Dr

Select Clear

Apply a search distance

300 Feet

Addressee Layer

Tax Parcels - Mailing Address

Format

PDF label 1 x 2-5/8 inches; 30 per page

12 addressees found; do you want to continue?

Download

**NOTICE OF PUBLIC HEARING
ELMWOOD CHARTER TOWNSHIP
ZONING BOARD OF APPEALS**

A Public Hearing is scheduled for Wednesday, September 6, 2023 at 7:00 p.m. before the Elmwood Charter Township Zoning Board of Appeals to consider:

Case #2023-05 Request by Stephen Earl regarding property at 10945 S West-Bay Shore Dr, Parcel #45-004-016-039-00 for a 10' foot front water's edge setback variance to remove and replace rear deck is same location.

The files may be viewed at the Township Hall during regular business hours, Monday through Friday, 9:00 am to 5:00 pm or online at www.elmwoodmi.gov.

The public hearing will be held at the Elmwood Township Hall, 10090 E. Lincoln Road, Traverse City. Individuals can make public comment or submit written comments, in person, at the public hearing. Written comments may be submitted prior to the public hearing by mailing them to: Planning and Zoning Department, 10090 E. Lincoln Rd, Traverse City, MI 49684 or planner@elmwoodmi.gov. Written comments submitted prior to the public hearing regarding these requests will be received until 5:00 pm, Wednesday, September 6, 2023.

Individuals planning to attend who require reasonable auxiliary aids should contact Connie Preston, Township Clerk at (231) 946-0921.

Posted: August 16, 2023
3:45 PM
Elmwood Township Hall
Connie Preston, Clerk

Public Notice

Notice to Creditors
TO ALL CREDITORS: Sheila M. Lingaur and Clifford A. Smith, Co-Trustees of the Jon F. Smith Trust, U/T/D January 11, 1995, as amended, hereby give notice that the settlor of the above referenced trust, Jon F. Smith whose date of birth was August 9, 1943, and who resided in Leelanau County, Michigan, died July 12, 2023.

Creditors of Jon F. Smith or the Trust are notified that all claims against the estate or Trust will be forever barred unless presented to Sheila M. Lingaur and Clifford A. Smith, Co-Trustees of the Jon F. Smith Trust, U/T/D January 11, 1995, as amended c/o Timothy J. Clulo, Bowerman, Ford, Clulo & Luyt, P.C., attorneys for Sheila M. Lingaur and Clifford A. Smith, Co-Trustees of the Jon F. Smith Trust, U/T/D January 11, 1995, as amended, 620-A Woodmere Avenue, Traverse City, Michigan 49686, within four (4) months after the date of publication of this notice.

Elmwood Township Zoning Board Of Appeals Notice Of Public Hearing

A Public Hearing is scheduled for Wednesday, September 6, 2023 at 7:00 p.m. before the Elmwood Charter Township Zoning Board of Appeals to consider:

Case #2023-05 Request by Stephen Earl regarding property at 10945 S. West-Bay Shore Dr., Parcel #45-004-016-039-00 for a 10' foot front water's edge setback variance to remove and replace rear deck in same location.

The files may be viewed at the Township Hall during regular business hours, Monday through Friday, 9:00 am to 5:00 p.m. or online at www.elmwood-mi.gov.

The public hearing will be held at the Elmwood Township Hall, 10090 E. Lincoln Road, Traverse City. Individuals can make public comment or submit written comments, in person, at the public hearing. Written comments may

be submitted prior to the public hearing by mailing them to: Planning and Zoning Department, 10090 E. Lincoln Rd., Traverse City, MI 49684 or planner@elmwoodmi.gov. Written comments submitted prior to the public hearing regarding these requests will be received until 5:00 p.m., Wednesday, September 6, 2023.

Individuals planning to attend who require reasonable auxiliary aids should contact Connie Preston, Township Clerk at (231) 946-0921. 08-17-2023.

Cleveland Township Planning Commission Notice To The Public

Public Hearing & Regular Meeting
 Wed., September 6, 2023 - 6:45 p.m.
 Cleveland Township Hall, 955 E Harbor Highway, Cedar MI 49621

The Cleveland Township Planning Commission will hold a public hearing on Wednesday, September 6, 2023, at 6:45 p.m. before the regular meeting. The subject of the public hearing is a proposed ordinance to allow a defined number of well-regulated Short-Term Rentals in the Residential and Agricultural districts.

To review the referenced DRAFT ordinance, visit the Cleveland Township website at

<https://www.leelanau.gov/cleveland-township.asp> or write the Cleveland Township Office, 1691 E April Rd., Cedar, MI 49621. To submit written comments, write Cleveland Township, c/o Victoria Sutherland, 1164 E Traverse Lake Rd., Cedar, MI 49621; or email Commission Chair, Dean Manikas, manikasdean@gmail.com.

Persons requiring accommodation to participate in the meeting should contact the Township Clerk (at 303-960-0457) 4 days prior to the meeting. Sincerely, Victoria Sutherland, Secretary, Cleveland Township Planning Commission.

Public Notice

Notice to Creditors
 Decedent's Trust
 State of Michigan Probate Court
 County of Leelanau
 FILE NO. N/A

In the matter of Charles A. Gilfeather and Valorie A. Gilfeather Joint Revocable Trust Dated June 18, 2018 Date of Birth: February 20, 1952

NOTICE TO CREDITORS: The decedent, Valorie A. Gilfeather, died July 7, 2023.

Creditors of the decedent are notified that all claims against the trust will be forever barred unless presented to Sean A. Gilfeather, C/O Clayton J. Johnson, Braun Kendrick Finkbeiner P.L.C., 4301 Fashion Square Blvd., Saginaw, MI 48603, named trustee within 4 months after the date of publication of this notice.

August 17, 2023
 Sean A. Gilfeather
 477 Onderdonk Ave., Apt. 1R
 Ridgewood, NY 11385
 Braun Kendrick Finkbeiner P.L.C.
 Clayton J. Johnson P72094
 4301 Fashion Square Blvd.
 Saginaw, MI 48603
 989-498-2100

Cedar Area Fire & Rescue Board

2024-2026 Budget Public Hearing Notice

The Cedar Area Fire & Rescue Board will hold a public hearing for the proposed Fire and Rescue Budget Operating Fund and Capital Fund for the operating years beginning April 1, 2024 and ending March 31, 2026 at the Cedar Area Fire Department, 8907 Railroad Avenue, Cedar, MI 49621 on Thursday, September 7, 2023 at 2:00 p.m.

A copy of the budget will be available for public inspection six days prior to the meeting at Cedar Area Fire and Rescue, 8907 Railroad Avenue, Cedar, MI, 49621 during regular business hours. The budget is also available for review at <https://www.leelanau.gov/cafrdocs.aspx>.

If you are planning to attend this hearing and require special assistance, please contact Dana Boomer at 231-590-9788 or dboomer@cedarareafire-rescue.org, at least 2 days prior to the scheduled meeting date.

Cedar Area Fire & Rescue Board
 Greg Julian, Chairman
 A copy of this notice is on file at Cedar Area Fire and Rescue.

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